

Commissioner Comments by Dave Schulz

In recent weeks there have been a number of comments as to the need for a new Law & Justice Center built near the Madison County Court House in Virginia City and should I vote for or against it. And, as many of you have read, there are numerous observations of why in Virginia City, why this size and why at all! This letter is intended to assist voters in having the right information, some of which includes engineering studies of the proposed site, analysis of our current situation as well as the Commissioners research into other facilities, in making your decision on this project.

The Court House was built in 1875 –1876. The first addition constructed in 1913 was the vault behind the Clerk & Records office and the Jury room on the upper level. The last addition completed in 1962 was the bathrooms on the basement level, Treasurers office on the main floor, Clerk of Court office and records storage on the next floor and the Commissioners offices on the fourth level. Since that time, we have completed an extensive restoration. That work, however, does not answer our concern of space.

We have spoken many times of the lawsuits against the County regarding the current jail. Further, we have had litigation before us regarding access to the current Court House. And, in working for and in behalf of the people of Madison County, one of the goals we have worked toward is to bring services closer together for benefit of our residents. The fact is: there are ten County offices in buildings away from the Court House. We are paying a high rate of rent on one and all buildings are heated by electricity. Also, we are obligated to providing secure records preservation space for all Clerk & Recorder and Court records. Records going back to the 1860's are researched daily and the need for more safe space is important. So, convenience to users, safety for records, accessibility by residents, and a detention facility that meets standards and leaves sheriff staff to do their job of serving us is primary in why we pursued this project.

Now, I will discuss some of the specific questions that have come up. The first being: Why consider building the Law & Justice Center across the road from the Court House and in Virginia City? Virginia City is the County seat. If you look at a map of our County, this town is in the middle of the County and is more easily accessible for all residents than placing it in one of the valleys. We have always had a jail here! Since before the present Court House was built in 1876, there has been a jail, now referred to as detention, in Virginia City. The Court House is very much part of Virginia City and its history. The new Center is much more than a detention center. All justice services will be in this facility. Equally, this allows all of those previously referenced offices a place in the current Court House.

Why build it this size? We are looking to the future! Plans have adequate available space for current needs. And, the L&J Center has additional space of 2800 ft. that will be built but not finished. This will allow for offices, storage, etc. into the future. Building now saves many times trying to do this in 5, 10 or more years. The facility will house District Court, Justice Court, Clerk of Court, County Attorney, Juvenile officers, Office of Emergency Management, Sheriff offices, detention and administrative staff for each service. It will have a Court Room. (The current Court Room in the Court House will become a meeting/ conference room.) Regarding the detention area; this amounts to approximately 25% of the L&J Center footage. Yet, it has beds, space, recreation area, and other required needs for 36 inmates. As stated earlier, detention standards require these allowances. Our research indicates that we need 10 – 12 beds today. That is: 4 to 6 inmates sentenced by our Courts and space for 6 additional beds recognizing following some actions 6 offenders should find themselves in jail. The County is growing and changing; we should all expect this figure to go up over time. This allows space for 15 – 20 inmates from other jurisdictions.

So, the next question is: Why are we interested in housing inmates from other areas? We believe economics and sensible long-term planning is the only answer for that question. As earlier addressed, our County is growing. Some observations show the County having 15,000 to 20,000 residents not too many years out. Many of you have heard Ennis will be a bedroom community to Bozeman one day. I think it is already occurring. With change come problems that put a greater burden on County services including Law Enforcement. This includes need for incarceration short term as well as long term. Additionally, the Sheriff budget is expending near \$50,000 annually for detention of our prisoners in other facilities. And, recent research shows nearly another \$50,000 in transportation, deputy travel time and associated vehicle wear and tear just getting inmates to and from those facilities. Further, during this time, we have one or two deputies that

are out of service in addressing calls and protecting us. The next part of the economic topic is cost for detention that our facility will receive from Courts housing inmates in our detention facility. Currently, we pay a minimum of \$55 per day for our inmates housed elsewhere. We have used the figure of 20 inmates that we would house for other jurisdictions until our own need requires the space. This is \$1100 per day to the County; \$401,500 per year. We have researched that a total of 8 detention staff will be required to manage duties in this plan. Currently, the Sheriff's office has 1 full time and 1 part time detention officer. The additional staff will cost approximately \$250,000. This leaves \$150,000 in our budget. I did not show maintenance cost, heat and electricity, and as some would desire, a contingency for the unexpected. Cost we are currently paying against the buildings we would be leaving will offset much of that obligation. Lease payments for one office building we use is over \$25,000 per year. Heat and electricity for all buildings we have offices in outside the Court House exceeds \$30,000 per year.

And then: Who decides what inmates come to our facility. Madison County will have full decision authority of what inmates come to us. Obviously, these persons have a record. That will be fully researched before accepting a prisoner. Further, inmates from other areas will not be dumped onto Virginia City streets. They will be returned to the jurisdiction they were sentenced in prior to release.

Will prisoners spend time outside the building? No! All necessary services accorded these persons will be inside. The Court may require a person serve multiple weekends or do community service. These issues are beyond our authority. Yet, I am convinced this would only be for some violators sentenced in our Madison County Court.

What about increased traffic? Most of the traffic will remain associated with County offices. It will shuffle from the school to the new parking lot below the L&J Center or off Wallace Street to the lot. Vehicle traffic associated with the detention facility will not increase greatly. In most cases, prisoners from other areas who are accepted will be here for a while. As in the past, Law Enforcement personnel will continue to be observant of fire threat of the many historical buildings, vandalism of residences and historical areas, and protection of residents. Several additional patrol vehicles should be considered an asset.

How many visitors come to the detention center? In discussing this with Anaconda and Townsend detention personnel, we are told there is very limited family or friend interaction. At the same time, both entities run a background check on all visitors prior to admitting them to see an inmate. This process persuades some to stay away and has located others who the officers are looking for. I expect our policy would be the same.

Why did we not run the two projects (Law & Justice Center and Court House annex) on separate ballots? The Law & Justice Center offices, Court Rooms, elevator, and detention center are equally important to the elevator, vault space and additional office and storage attached to the rear of the Court House. When we initiated this project, our first plan was to try to get it all attached to the present facility. There was not adequate space to accomplish this and, more importantly, it frayed the beauty of the Court House structure. We have approached this as two objectives but one project.

Why not move it somewhere else? Virginia City is the County seat. The Court House, the oldest working county building in the state, belongs to all residents of Madison County. The fact that our County is changing is not adequate reason for us to even consider moving away from Virginia City. Further, County employees and residents doing business in the Court House are good year round supporters of main street V.C.

I hope these comments help you better understand the project. The Commissioners have worked on this for close to two years. This topic has been on our meeting agenda and advertised weekly for much of that time. We have discussed it with the Heritage Commission, Virginia City Commission, Historical Preservation offices and many of you. Permits from the Town have been authorized. And, anticipated water and sewer usage has been calculated by the Town's engineer.

Having said all of this, I hope this information is helpful as you mark your ballot on November 7th. Should you have further need for information, please contact us.